

Message Text

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ACTION MBFR-03

INFO OCT-01 EUR-25 IO-12 ADP-00 CIAE-00 PM-09 H-02 INR-09

L-03 NSAE-00 NSC-10 PA-03 RSC-01 PRS-01 SS-14 USIA-12

NEA-10 GAC-01 SAJ-01 OIC-04 AEC-11 ACDA-19 OMB-01

TRSE-00 EB-11 NIC-01 RSR-01 /165 W

----- 029669

R 270905 Z MAR 73

FM AMEMBASSY VIENNA

TO SECSTATE WASHDC 8214

INFO SECDEF/ WASHDC

MBFR CAPITALS 300

USCINCEUR

USDOCOSOUTH

USNMR/ SHAPE

USLOSACLANT

USDEL SALT TWO II

USMISSION GENEVA

C O N F I D E N T I A L VIENNA 2419

GENEVA FOR DISTO

EO: 11652: GDS

TAGS: PARM

SUBJ: MBFR: SOVIET TALKS WITH AUSTRIAN OFFICIALS

1. SUMMARY. AUSTRIAN OFFICIALS HAVE INFORMED EMBASSY THAT DISCUSSION ON MARCH 23 AT SOVIET INITIATIVE BETWEEN SOVIET OFFICIALS AND AUSTRIAN FONMIN KIRCHSCHLAEGER BROUGHT FURTHER SOVIET EFFORT TO BRING AUSTRIA INTO MORE ACTIVE ROLE IN MBFR BOTH SOCIALLY AND, AS REGARDS PARTICIPATION IN TALKS, AUSTRIAN OFFICIALS REACTED WITH CAUTION. END SUMMARY.

2. ON MARCH 23 SECRETARY GENERAL WODAK CALLED CHARGE OVER TO THE FOREIGN OFFICE TO TELL HIM THAT ON PREVIOUS DAY, SOVIET AMBASSADOR ABRAMOV INVITED FONMIN KIRCHSCHLAEGER, HIMSELF, DEPSEC GEN STEINER AND THE MINISTER' S CHEF DE CABINET HINTEREGGER TO TEA. WHEN THEY
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ARRIVED, SOVIET MBFR REP KHLESTOV WAS THERE AND DID MOST OF THE TALKING.

3. WODAK SAID CONVERSATION COULD BE DIVIDED INTO TWO PARTS. FIRST CONCERNED THE MBFR TALKS THEMSELVES WHICH HE WOULD PASS ON DIRECTLY IN NEAR FUTURE TO US REP MBFR: SECOND, AN APPROACH TO AUSTRIA WHICH WODAK FELT MIGHT CAUSE TROUBLE. CONCERNING THIS LAST POINT, KHLESTOV SAID THAT IT WAS THE SOVIET'S POSITION THAT RGO INTO EFFECT JULY 1, 1973.

2. IN OUR TALKS THUS FAR, FONOFF HAS TAKEN POSITION THAT IT DOES NOT HAVE PRIMARY JURISDICTION IN THIS MATTER UNTIL ISSUANCE OF MOTO. MSA HAS INFORMED EMBASSY THAT MOTO, AS DRAFTED, WOULD APPLY TO ALL SHIPS, INCLUDING USN AND CHARTERED SHIPS, BUT THAT IT IS WITHIN COMPETENCE OF FONOFF TO DECIDE WHETHER US SHIPS SHOULD OR SHOULD NOT BE EXEMPT FROM THIS LEGISLATION UNDER PROVISIONS OF ARTICLE 5 OF SOFA. MSA SAID MOTO WILL DEFINITELY APPLY TO MSDF VESSELS.

3. PENDING FONOFF DETERMINATION UNDER SOFA, AS FAR AS US NAVY AND CHARTERED SHIPS ARE CONCERNED, MSA SAID:

A. MOTO PROVISIONS WILL APPLY TO TWO CATEGORIES OF VESSELS: (1) " HUGE VESSELS", DEFINED AS IN EXCESS OF 200 METERS IN LENGTH, AND (2) SHIPS CARRYING " DANGEROUS CARGO", I. E. SHIPS CARRYING MORE THAN 1,000 TONS OF INFLAMMABLE LIQUIDS (INKASEI EKITAI RUI) OR LIQUIFIED GAS, MORE THAN 80 TONS OF EXPLOSIVES, OR MORE THAN 200 TONS OF ORGANIC PEROXIDE (YUKI KASANKA BUTSU).

B. FOREGOING ITEMS CARRIED ABOARD VESSELS FOR THEIR USE ALONE, SUCH AS AMMUNITION ABOARD WARSHIPS, AND SHIP'S FUEL, ARE NOT TO BE CONSIDERED AS " DANGEROUS CARGO." (NOTO ARTICLE 11-4-2).

C. IN PRINCIPLE, HUGE VESSELS AND DANGEROUS CARGO CARRIERS MUST GIVE ADVANCE NOTICE TO MSA BY NOON OF DAY PRIOR TO EXPECTED USE OF RESTRICTED CHANNEL (ART. 14).
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D. IN CASE MASTER OF HUGE VESSEL, ETC. IS UNABLE

GIVE FOREGOING ADVANCE NOTICE DUE TO UNAVOIDABLE CIRCUMSTANCES, IT WOULD SUFFICE FOR HIM MERELY TO GIVE NOTICE TO USE OF RESTRICTED CHANNEL, BUT WITH ACKNOWLEDGEMENT OF THIS NOTICE BY MSA REGIONAL OFFICE OR MSA SAFETY OFFICE CONCERNED (ART. 14-4). SUCH NOTICE MAY BE TRANSMITTED BY TELEPHONE, TELEGRAM, OR BY CORRESPONDENCE TO REGIONAL HEADQUARTERS WHERE 24-HOUR WATCH IS MAINTAINED. MSA SAID THAT THIS PROVISION WAS INCLUDED IN MOTO SPECIFICALLY TO MEET EMERGENCY REQUIREMENTS OF USN AND MSDF VESSELS.

E. ARTICLE 13-5 STATES THAT IN FILING ADVANCE NOTICES, SHIP'S DESTINATION MUST BE STIPULATED ONLY IF DESTINATION IS KNOWN. MSA SAID THAT USN VESSELS MAY USE THIS PROVISION TO PRESERVE ANY SECRECY OF DESTINATION.

F. ADVANCE NOTICE MUST BE GIVEN BY TWO CATEGORIES OF VESSELS ONLY WHEN THEY PLAN TO USE ONE OF 11 RESTRICTED CHANNELS IN JAPANESE WATERS-- TWO IN TOKYO BAY, ONE IN ISE BAY, AND EIGHT IN INLAND SEA, ALL TO EAST OF HIRO AMMO PORT. ONLY CHANNELS USED ROUTINELY BY USN VESSELS ARE URAGA CHANNEL AND TO LESSER EXTENT NAKANOSE CHANNEL IN TOKYO BAY.

4. MSA SAID THAT AS SOON AS MOTO IS TRANSLATED (DATE NOT YET KNOWN), MSA WILL PROVIDE COPIES TO US FORCES AND EMBASSY.

5. COMMENT: EMBASSY BELIEVES THAT WE SHOULD REQUEST FONOFF TO EXEMPT US VESSELS FROM PROVISIONS OF THIS LAW UNDER SOFA ARTICLES 2 AND 5. UNLESS DIRECTED OTHERWISE, EMBASSY AND COMUSJ PLAN SUBMIT MEMO REQUESTING SUCH ACTION AT NEXT JOINT COMMITTEE MEETING APRIL 5. MEANWHILE, REQUEST YOUR CAREFUL ASSESSMENT OF IMPACT OF MOTO AS DESCRIBED ABOVE ON USN/ MSC OPERATIONS. OUR PRELIMINARY THINKING IS THAT, WHILE UNFETTERED ACCESS TO YOKOSUKA AND YOKOHAMA IS UNDOUBTEDLY DESIRABLE, MOTO REQUIREMENTS ARE NOT UNREASONABLE, GIVEN GROWING CONGESTION AT MOUTH OF

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TOKYO BAY, AND THAT NOTIFICATION REQUIREMENTS MAY CAUSE SOME INCONVENIENCE BUT NOT UNDUE HARDSHIP.

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*** Current Handling Restrictions *** n/a

*** Current Classification *** CONFIDENTIAL

Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: n/a
Control Number: n/a
Copy: SINGLE
Draft Date: 27 MAR 1973
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: golinofr
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1973VIENNA02419
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: GDS
Errors: n/a
Film Number: n/a
From: VIENNA
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1973/newtext/t19730339/aaaaijbq.tel
Line Count: 170
Locator: TEXT ON-LINE
Office: ACTION MBFR
Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 4
Previous Channel Indicators:
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: n/a
Reference: n/a
Review Action: RELEASED, APPROVED
Review Authority: golinofr
Review Comment: n/a
Review Content Flags: ANOMALY
Review Date: 28 AUG 2001
Review Event:
Review Exemptions: n/a
Review History: RELEASED <28-Aug-2001 by cunninfx>; APPROVED <26-Oct-2001 by golinofr>
Review Markings:

Declassified/Released
US Department of State
EO Systematic Review
30 JUN 2005

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: <DBA CORRECTED> jms 980102
Subject: MBFR: SOVIET TALKS WITH AUSTRIAN OFFICIALS
TAGS: PARM
To: / WASHDC
MBFR
MBFR CAPITALS 300
SALT TALKS
SECSTATE WASHDC
USCINCEUR
USDOCOSOUTH

USLOSACLANT
USNMR/ SHAPE

Type: TE

Markings: Declassified/Released US Department of State EO Systematic Review 30 JUN 2005